

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: ASBESTOS PRODUCTS	:	CONSOLIDATED UNDER
LIABILITY LITIGATION (No. VI)	:	MDL DOCKET NO. 875
	:	
VARIOUS PLAINTIFFS	:	
	:	
	:	
v.	:	
	:	
	:	Cases listed in Exhibit
VARIOUS DEFENDANTS	:	"A," attached

**SCHEDULING ORDER**

**AND NOW**, this **22nd** day of **June, 2012**, it is hereby  
**ORDERED** that, for the cases listed in Exhibit "A," attached, the  
deadlines<sup>1</sup> are as follows:<sup>2</sup>

1. All discovery must completed by: **October 22, 2012**
2. Plaintiff's expert reports must be served by:  
**November 22, 2012**
3. Defendant's expert reports must be served by:  
**December 24, 2012**
4. Rebuttal expert reports must be served by:  
**January 7, 2013**

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<sup>1</sup> This Court does not take lightly requests for extensions of deadlines outlined in the scheduling order. Any request for an extension of time must state the "good cause" basis for the modification pursuant to Federal Rule of Civil Procedure 16(b)(4). Additionally, the parties are reminded that, according to Local Rule of Civil Procedure 7.4, no stipulation to extend deadlines is effective until approved by the Court.

<sup>2</sup> Defendants must file an answer pursuant to the Federal Rules of Civil Procedure (as opposed to any state rules of civil procedure) if they have not already done so.

5. Summary Judgment motions must be filed by:

**February 7, 2013**

6. Responses are due: **March 7, 2013**

7. Replies, if any, are due: **March 21, 2013**

8. A final pre-remand hearing, including oral argument on all opposed summary judgment motions, will be held on **April 23, 2013 at 10:00am in Courtroom 15A, James A. Byrne United States Courthouses, 601 Market Street, Philadelphia, Pennsylvania 19106.**

It is further **ORDERED** that the above conference constitutes the final pre-remand conference in each of these cases. Therefore, prior to the hearing date, Plaintiffs' counsel must inform the Court<sup>3</sup> as to the status of the case, which must fall into one of the following four (4) categories:

- (1) Case should be dismissed to the "**bankruptcy only**" docket, and a proposed order has been filed.
- (2) Case has been **settled**, and a proposed order has been filed.

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<sup>3</sup> **A status update should be made in writing, filed on the docket AND either emailed to the MDL 875 law clerk, Michele\_Ventura@paed.uscourts.gov, or sent to:**

The Honorable Judge Eduardo C. Robreno  
Attn: MDL 875 Law Clerk  
U.S. District Court, Eastern District of Pennsylvania  
601 Market Street Room 2609  
Philadelphia, PA 19106

- (3) The case complies with the factors set forth in Administrative Order 18,<sup>4</sup> and the case is ready to be **remanded** to the transferee court.
- (4) Case will be voluntarily **dismissed**, and a proposed order has been filed.

It is further **ORDERED** that, if the case is ready to be remanded to the transferee court, Plaintiffs' counsel shall provide to the Court, prior to the hearing date, a list of **all remaining viable defendants to be pursued at trial**. The Court will dismiss all other viable defendants, and stay proceedings against bankrupt defendants.

It is further **ORDERED** that, if there are no pending motions remaining in the case, and counsel informs the Court as to the status of the case prior to the date of the hearing, appearance at the hearing is **excused**. Failure to appear at the hearing without a prior status update may result in the dismissal of the case.

**IT IS SO ORDERED.**

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**Eduardo C. Robreno, J.**

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<sup>4</sup> Administrative Order 18 is available at:  
[http://www.paed.uscourts.gov/documents/MDL/MDL875/Administrative Order 18.pdf](http://www.paed.uscourts.gov/documents/MDL/MDL875/Administrative_Order_18.pdf).

**EXHIBIT A**

12-60144	NY-S	Andrews, John
12-60145	CA-N	Applebee, Karen
12-60146	CT-D	Brooks, Barbara
12-60147	CA-N	Ramsey, William and Diana
12-60149	CT-D	Misak, Peter and Janet
12-60150	NC-W	Murdock, John D.
12-60151	CT-D	Zietlow, James A. and Sharon L.
12-60152	NC-W	Greene, Lucia
12-60153	CA-N	King, Tony
12-60154	NC-M	Phillips, Ellen
12-60155	NC-M	Mullis, Carolyn
12-60156	CT-D	Swain, Donald W., Jr. and Patricia